

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

Civil Action No. 4:20-cv-00160-D

PHILLIP K. DOUGHTIE,

Plaintiff,

v.

SARA LEE FROZEN BAKERY, LLC,

Defendant.

)
)
)
)
)
)
)
)
)
)

**JOINT MOTION FOR APPROVAL OF SETTLEMENT AGREEMENT AND
DISMISSAL OF CLAIMS WITH PREJUDICE**

Plaintiff Phillip K. Doughtie (“Plaintiff”) and Defendant Sara Lee Frozen Bakery, LLC (“Defendant”) (collectively “the Parties”), jointly notify the Court that the Parties have reached a settlement and resolved this action and all claims therein. The Parties hereby stipulate to the voluntary dismissal *with prejudice* of the above-captioned matter in its entirety pursuant to Fed. R. Civ. P. 41(a) and jointly move the Court for entry of an Order approving the Parties’ settlement and dismissing the Fair Labor Standards Act, 29 U.S.C. 201 *et seq.* (the “FLSA”) claims raised in this action. The Parties respectfully maintain that this motion should be granted because the proposed settlement agreement represents a fair and reasonable resolution of a *bona fide* dispute, as more fully set forth in the accompanying Memorandum of Law in Support.

Respectfully submitted, this 11th day of September, 2020.

/s/ Emory D. Moore, Jr.

Emory D. Moore, Jr.
McDermott Will & Emery LLP
444 West Lake St., Suite 4000
Chicago, IL 60606
Tel: 312.984.6944
emoore@mwe.com
Illinois Bar. No. 6330862
Attorney for Defendant

/s/ Jennifer B. Routh

Jennifer B. Routh
McDermott Will & Emery LLP
500 North Capitol Street, NW
Washington, D.C. 20001
Tel: 202.756.8165/Fax: 202.756.8087
jrouth@mwe.com
North Carolina Bar. No. 47146
Local Civil Rule 83.1(d) Counsel for Defendant

DUNN, PITTMAN, SKINNER & CUSHMAN, PLLC

/s/ Raymond E. Dunn, Jr.

Raymond E. Dunn, Jr.
3230 Country Club Road/P.O. Drawer 1389
New Bern, North Carolina 28562
Tel: 252.633.3800/Fax: 252.633.6669
rdunn@dunnpittman.com
North Carolina Bar No. 8739
Counsel for Plaintiff

/s/ Charles J. Cushman

Charles J. Cushman
3230 Country Club Road/P.O. Drawer 1389
New Bern, North Carolina 28562
Tel: 252.633.3800/Fax: 252.633.6669
ccushman@dunnpittman.com
North Carolina Bar No. 36170
Counsel for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on September 11, 2020, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Emory D. Moore, Jr.
McDermott Will & Emery LLP
444 West Lake St., Suite 4000
Chicago, IL 60606
emoore@mwe.com
Illinois Bar. No. 6330862
Attorney for Defendant

Jennifer B. Routh
McDermott Will & Emery LLP
500 North Capitol Street, NW
Washington, D.C. 20001
jrouth@mwe.com
North Carolina Bar. No. 47146
Local Civil Rule 83.1(d) Counsel for Defendant

This the 11th day of September, 2020.

DUNN, PITTMAN, SKINNER & CUSHMAN, PLLC

/s/ Raymond E. Dunn, Jr.
Raymond E. Dunn, Jr.
3230 Country Club Road/P.O. Drawer 1389
New Bern, North Carolina 28562
Tel: 252.633.3800/Fax: 252.633.6669
rdunn@dunnpittman.com
North Carolina Bar No. 8739
Counsel for Plaintiff